

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

IN RE:

KATHERINE MICHELE MARCELLUS
GREGORY EUGENE MARCELLUS

Debtors

CHAPTER 13
CASE NO. 17-60419

TRUSTEE'S PETITION TO DISMISS AND NOTICE OF HEARING

DATE OF LAST PAYMENT: 05/03/2021

ESTIMATED AMOUNT OF ARREARAGE

***AS OF 05/10/2021 is \$1,936.64**

Number of months in arrears is: 2

Herbert L. Beskin, Trustee of the estate of the above captioned Chapter 13 Debtors, respectfully reports: That he is the duly appointed and qualified Standing Trustee and have that the Debtor (s) aforementioned defaulted in making payments matured under the confirmed plan.

PLEASE TAKE NOTICE that on **July 29, 2021** at **9:30 A.M.** the Trustee will present and argue the foregoing Petition to Dismiss. Due to Corona Virus concerns, and until further notice or unless ordered otherwise, all hearings before Judge Connelly will be conducted by video conference and will not be held in person . All Debtors should contact their attorneys for information on Hearings before Judge Connelly . Other Parties should contact Judge Connelly's courtroom deputies at VAWBml_Connelly_Scheduling@vawb.uscourts.gov to obtain video access instructions and Zoom access information . These procedures shall apply to hearings before Judge Connelly only; these procedures do not apply to hearings before Judge Black.

The Trustee may request immediate dismissal of the case unless Debtors and Debtors' counsel have consulted in advance with the Trustee's office regarding a proposal to cure their delinquency in plan payments or have filed an amended plan no later than 48 hours in advance of the hearing scheduled above.

May 4th, 2020: The Trustee understands that Virginia is currently under a state of emergency due to the COVID-19 virus, and that many Debtors have lost their jobs or had their income reduced . The purpose of this motion is to alert you to the default in your plan payments before you fall so far behind that the problem cannot be solved . The hearing date on this motion has been set several months into the future to give you and your attorney time to successfully deal with these problems.

If your household has been negatively impacted by the COVID-19 virus, there are new options available under the CARES Act recently passed by Congress that may benefit you and prevent dismissal of your case . Please contact your attorney immediately to discuss these options and obtain legal advice on how you can fix this default in your plan payments .

/s/ Herbert L. Beskin

Herbert L. Beskin Chapter 13 Trustee
P.O. Box 2103
Charlottesville, VA 22902
Ph: 434-817-9913
Email: ch13staff@cvillech13.net

I hereby certify that on May 10, 2021, copies of this Petition and Notice have been mailed to, Debtors, KATHERINE MICHELE MARCELLUS, GREGORY EUGENE MARCELLUS, 4 FITZGERALD ROAD, CUMBERLAND, VA 23040, and that the Attorney for the Debtors has been notified electronically by ECF .

Herbert L. Beskin, Chapter 13 Trustee, P.O. Box 2103, Charlottesville, VA 22902, Ph: 434-817-9913, Email: ch13staff@cvillech13.net